PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

Commissioner **US Department of Commerce United States Patent and Trademark** Office, PCT 2011 South Clark Place Room

CP2/5C24

Arlington, VA 22202

Date of mailing (day/month/year)	ETATS-UNIS D'AMERIQUE
18 April 2001 (18.04.01)	in its capacity as elected Office
10 / prin 2001 (10:0 1:0 1)	

Applicant's or agent's file reference International application No. H 4024 PCT PCT/EP00/07496 Priority date (day/month/year) International filing date (day/month/year) 11 August 1999 (11.08.99) 03 August 2000 (03.08.00) **Applicant** FIES, Matthias et al

1.	The designated Office is hereby notified of its election made:
	X in the demand filed with the International Preliminary Examining Authority on:
	22 February 2001 (22.02.01)
	in a notice effecting later election filed with the International Bureau on:
2.	The election X was
	made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland

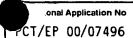
Authorized officer

Pascal Piriou

Telephone No.: (41-22) 338.83.38

Facsimile No.: (41-22) 740.14.35

INTEGRATIONAL SEARCH REPORT



According to Informational Palent Classification (IPC) or to both national classification and IPC 8. PELDS SEARCHED Winnam accumentation bearched (classification system followed by classification symbols) IPC 7 B013 C07C Documentation searched other than minimum documentation to the extent that such occuments are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO—Internal , WPI Data , PAJ C.DOCUMENTS CONSIGERED TO BE RELEVANT Category * Classion of occument, with indication, where appropriate, of the retiremat passages Pelevant to claim No. 1. S 883 288 A (DAMS ALBRECHT ET AL) 1. 6 March 1999 (1999-03-16) 1. 16 March 1999 (1999-03-16) 1. 17 Column 6, 11ne 40 -column 11, 11ne 67; 1. 18 Further documents with indication, where appropriate, of the retiremation 1999 (1999-05-19) 1. 29 May 1999 (1999-05-19) 1. 29 May 1996 (1996-05-29) 1. 29 May 1996 (1996-05-29) 1. 3 EPO 713 857 A (LUCKY LTD) 2. 29 May 1996 (1996-05-29) 1. 4 EPO 850 954 A (CP TECH S R L) 1. 3 July 1998 (1998-07-01) 1. 5 Special categories of lone of documents 1. 4 Common of extrema the published on or affect the international tring data or private glass and or the professor ethologies to another confidence on a fine the international tring data in the publication date of another continuation or private glassion or follow person stoking in the activities of the professor ethologies of the minimum or affect to international tring data in the publication date of another continuation or private glassion or follow person stoking in the activities of the professor ethologies of the publication date of another continuation or private glassion or follow person stoking in the activities of the professor ethologies of the publication date of another continuation or private glassion or follow or cannot be considered rollow or cannot be considered rollow or continuation or sold professor ethologies or private glass and or the contin	A. CLASSIF	CATION OF SUBJECT MATTER 801J19/18 801J19/26 801J1	14/00	C07C60/5/
PRINCE SEARCHED	IPC /	R0191a\19 po101a\50 po101	14/00	00/009/54
Decumentation searched other than minimum documentation to the extent that such documents are included in the fields searched	According to	International Patent Classification (IPC) or to both national cl	assification and IPC	
Documentation searched other than minimum documentation to the extent that such documents are included in the facts searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO—Internal , WPI Data , PAJ Citation of document, with indication, where appropriate, of the miserant passages X US 5 883 288 A (DAMS ALBRECHT ET AL) 16 March 1999 (1999–03–16) column 6, 1 fine 40 -column 11, 1 line 67; figures 1,2 X EP 0 916 643 A (ROHM & HAAS) 19 May 1999 (1999–05–19) page 2, column 57 -page 4, column 55; figure 1 X EP 0 713 857 A (LUCKY LTD) 29 May 1996 (1996–05–29) the whole document EP 0 850 954 A (CP TECH S R L) 1 July 1998 (1998–07–01) figure 1 Further documents are fisted in the continuation of box C. *Special categories of cated documents: "A cocument data fine the patients of the servance of the servanc	B. FIELDS	SEARCHED		
Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal, WPI Data, PAJ C. DOCUMENTS CONSIDERED TO BE RELEVANT Category* Citation of occurrent, with indication, where appropriate, of the relevant passages X US 5 883 288 A (DAMS ALBRECHT ET AL) 16 March 1999 (1999-03-16) column 6, 11ne 40 -column 11, 11ne 67; figures 1,2 X EP 0 916 643 A (ROHM & HAAS) 19 May 1999 (1999-05-19) page 2, column 57 -page 4, column 55; figure 1 X EP 0 713 857 A (LUCKY LTD) 29 May 1996 (1996-05-29) the whole document A EP 0 850 954 A (CP TECH S R L) 1 July 1998 (1998-07-01) figure 1 Further documents are listed in the continuation of box C. Special calegories of clied documents: "A occurrent obtaining the general state of the art which is not considered to be of particular relevance: "Special calegories of clied documents: "A occurrent obtaining the general state of the art which is not considered to be of particular relevance in the international filing date of the continuation of the special reason as speciated "A occurrent published prior to the international filing date of the continuation of the special reason as speciated "O occurrent of particular relevance: the claimed invention control to explain the priority date claim." "A occurrent operational relevance in the claimed invention control to explain the priority date claim." "O occurrent published prior to the international filing date but share the priority date claim." "O occurrent published prior to the international filing date but share than the priority date claim." "O occurrent operational relevance: the claimed invention cannot be considered to invention and the common operation of the international filing date but share than the priority date claim." "O occurrent operational relevance: the claimed invention cannot be considered to invention and the international filing date but share than the priority date claim." "O occurrent operational relevance: the clai			sification symbols)	
EPO-Internal, WPI Data, PAJ C. DOCUMENTS CONSIDERED TO BE RELEVANT Category* Citation of occument, with indication, where appropriate, of the relevant passages Relevant to claim No. X US 5 883 288 A (DAMS ALBRECHT ET AL) 1-5 16 March 1999 (1999-03-16) 1999-03-16) 1999-05-19) 1999 (1999-05-19) 1998 (1999-05-19) 1998 (1999-05-29) 1999 (1999 (1999-05-29) 1999 (1999 (1999-05-29) 1999 (19				
Category* Citation of document, with indication, where appropriate, of the relevant passages X US 5 883 288 A (DAMS ALBRECHT ET AL) 16 March 1999 (1999-03-16) column 6, line 40 -column 11, line 67; figures 1,2 X EP 0 916 643 A (ROHM & HAAS) 19 May 1999 (1999-05-19) page 2, column 57 -page 4, column 55; figure 1 X EP 0 713 857 A (LUCKY LTD) 29 May 1996 (1996-05-29) the whole document A EP 0 850 954 A (CP TECH S R L) 1 July 1998 (1998-07-01) figure 1			ata base and, where practical, seam	ch terms used)
US 5 883 288 A (DAMS ALBRECHT ET AL) 16 March 1999 (1999-03-16) column 6, 1/1ne 40 -column 11, 1/1ne 67; figures 1,2 X EP 0 916 643 A (ROHM & HAAS) 19 May 1999 (1999-05-19) page 2, column 57 -page 4, column 55; figure 1 X EP 0 713 857 A (LUCKY LTD) 29 May 1996 (1996-05-29) the whole document A EP 0 850 954 A (CP TECH S R L) 1 July 1998 (1998-07-01) figure 1	C. DOCUM	ENTS CONSIDERED TO BE RELEVANT		
16 March 1999 (1999–03–16) column 6, line 40 -column 11, line 67; figures 1,2 X EP 0 916 643 A (ROHM & HAAS) 19 May 1999 (1999–05–19) page 2, column 57 -page 4, column 55; figure 1 X EP 0 713 857 A (LUCKY LTD) 29 May 1996 (1996–05–29) the whole document A EP 0 850 954 A (CP TECH S R L) 1 July 1998 (1998–07–01) figure 1 Further documents are listed in the continuation of box C. * Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance." "P earlier document but published on or after the international relevance or which is cited to esablish the published on the or tested or special relevance in the published of another cited in or or other special reason (as specified) "O'd document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed The document published prior to the international filing date but later than the priority date claimed The document published prior to the international filing date but later than the priority date claimed The document published prior to the international filing date but later than the priority date claimed The document published prior to the international filing date but later than the priority date claimed The document published prior to the international search 6 December 2000 Name and malling address of the tSA European Patent Office, P.B. 5816 Patentian 2 NL - 2200 HV Rijswig. Tel. (43-17-03) 40-2040, T. 3. 1651 epp nl.			the relevant passages	Relevant to claim No.
19 May 1999 (1999–05–19) page 2, column 57 -page 4, column 55; figure 1 X EP 0 713 857 A (LUCKY LTD) 29 May 1996 (1996–05–29) the whole document A EP 0 850 954 A (CP TECH S R L) 1 July 1998 (1998–07–01) figure 1 Further documents are listed in the continuation of box C. * Special categories of cited documents: A' document defining the general state of the art which is not considered to be of particular relevance: T' later document published after the international tiling date or priority date and not in conflict with the application but cited to understand the principle of theory underlying the comment which may throw doubts on priority data and not in conflict with the application but cited to understand the principle or theory underlying the invention cannot be considered to be of particular relevance; the claimed invention cannot be considered in evention cannot be considered in evention cannot be considered in evention. To document published on or after the international tiling date or priority date and not in conflict with the application but cited to understand the principle of theory underlying the invention cannot be considered novel or cannot be considered in vention cannot be considered in evention cannot be considered in evention cannot be considered in evention. To document published on or after the international tiling date or priority date and not in conflict with the application but cited to understand the principle of theory underlying the invention cannot be considered in evention cannot be considered in evention cannot be considered in evention cannot be considered in evention. To document published of the tile principle of the international search report skilled in the art. Take document of particular relevance; the claimed invention cannot be considered invention. The principle of the extension of the section of the extension of the section of the extension of the	X	16 March 1999 (1999-03-16) column 6, line 40 -column 11,	•	1-5
29 May 1996 (1996–05–29) the whole document EP 0 850 954 A (CP TECH S R L) 1 July 1998 (1998–07–01) figure 1 Further documents are listed in the continuation of box C. Special categories of cited documents: 'A' document defining the general state of the art which is not considered to be of particular relevance: 'E' earlier document bubblished or or after the international filing date 'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another claition or other special reason (as specified) 'O' document reterring to an oral disclosure, use, exhibition or other special reason (as specified) Date of the actual completion of the international search 6 December 2000 Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (-31–70) 340–2404, Tx. 31 651 epon II. My Patent tamily members are tisted in annex. Take document published after the international filing date or priority date and not in conflict with the application but clied to uncertained the principle or theory undertying the invention cannot be considered to mention to considered to mention the considered to involve an inventive step when the document is combined with one or more other such documents, such combined with one or more other such documents, such combined with one or more other such documents. 2 document member of the same patent family Date of mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (-31–70) 340–2404, Tx. 31 651 epon II. Willsher C	X	19 May 1999 (1999-05-19) page 2, column 57 -page 4, co	lumn 55;	1-5
Further documents are listed in the continuation of box C. * Special categories of cited documents: 'A' document defining the general state of the art which is not considered to be of particular relevance 'E' earlier document but published on or after the international filing date 'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another clainon or other special reason (as specified) 'O' document published prior to the international filing date but later than the priority date claimed 'Date of the actual completion of the international search 6 December 2000 Name and maiting address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tet (-31-70) 340-2040, Tx. 31 651 epo ni.	X	29 May 1996 (1996-05-29)		1-5
*Special categories of cited documents: 'A' document defining the general state of the art which is not considered to be of particular relevance 'E' earrier document but published on or after the international filing date 'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) 'O' document reterring to an oral disclosure, use, exhibition or other means 'P' document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 6 December 2000 Name and mailting address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk, Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.	A	1 July 1998 (1998-07-01))	6-9
*Special categories of cited documents: 'A' document defining the general state of the art which is not considered to be of particular relevance 'E' earrier document but published on or after the international filing date 'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) 'O' document reterring to an oral disclosure, use, exhibition or other means 'P' document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 6 December 2000 Name and mailting address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk, Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.				
*Special categories of cited documents: 'A' document defining the general state of the art which is not considered to be of particular relevance 'E' earrier document but published on or after the international filing date 'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) 'O' document reterring to an oral disclosure, use, exhibition or other means 'P' document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 6 December 2000 Name and mailting address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk, Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.				
'A' document defining the general state of the art which is not considered to be of particular relevance 'E' earlier document but published on or after the international filing date 'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) 'O' document referring to an oral disclosure, use, exhibition or other means 'P' document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search Date of the actual completion of the international search Authorized officer Authorized officer Li document defining the general state of the any international tiling date invention or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention 'X' document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is combined with one or more other such document is combined with one or more other such document is combination being obvious to a person skilled in the art. '&' document member of the same patent family Date of mailing of the international search report 13/12/2000 Authorized officer Authorized officer	Furt	ther documents are listed in the continuation of box C.	X Patent tamity mem	nbers are listed in annex.
'A' document defining the general state of the all which is not considered to be of particular relevance 'E' earlier document but published on or after the international filing date 'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) 'O' document referring to an oral disclosure, use, exhibition or other means 'P' document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 6 December 2000 Name and maiting address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tet. (+31-70) 340-2040, Tx. 31 651 epo nl.	Special ca	ategories of cited documents:		
*X' document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an invention cannot be considered to involve an inventive step when the document is taken alone voice means the publication date of another citation or other special reason (as specified) 'O' document referring to an oral disclosure, use, exhibition or other means 'P' document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search Date of mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tet. (+31-70) 340-2040, Tx. 31 651 epo nl.	*A* docum	ent defining the general state of the art which is not dered to be of particular relevance	cited to understand the	
"L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) 'O' document reterring to an oral disclosure, use, exhibition or other means 'P' document published prior to the international filing date but later than the priority date claimed Date of the actual completion of the international search 6 December 2000 Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.	'E' eartier	document but published on or after the international	*X* document of particular r	
citation or other special reason (as specified) 'O' document referring to an oral disclosure, use, exhibition or other means 'P' document published prior to the international filling date but later than the priority date claimed Date of the actual completion of the international search Date of mailing of the international search Date of mailing of the international search Date of mailing of the international search report 13/12/2000 Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.	"L" docum	ent which may throw doubts on priority claim(s) or h is clied to establish the publication date of another	involve an inventive st	ep when the document is taken alone
"P" document published prior to the international filing date but later than the priority date claimed "8" document member of the same patent family Date of the actual completion of the international search Date of mailing of the international search report 6 December 2000 13/12/2000 Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tet. (+31-70) 340-2040, Tx. 31 651 epo nl.	citation of the contract of th	on or other special reason (as specified) nent reterring to an oral disclosure, use, exhibition or	cannot be considered document is combined	to involve an inventive step when the d with one or more other such docu-
Date of the actual completion of the international search 6 December 2000 Name and maiting address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl. Date of maiting of the international search report Authorized officer Buildsher	P' docum	nent published prior to the international filing date but	in the art.	
6 December 2000 Name and maiting address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl. Uillsher				
Name and maiting address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl. Millsher		·		·
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl. Willsher			Authorized officer	
		European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk	Willsher	С

1

INTERNATIONAL SEARCH REPORT

information on patent family members

PCT/EP 00/07496

Patent document cited in search repor	t	Publication date	ı	Patent family member(s)	Publication date
US 5883288	A	16-03-1999	DE	19604267 A	07-08-1997
			CA	2196917 A	07-08-1997
			CN	1164528 A	12-11-1997
			CZ	9700336 A	15-04-1998
			EP	0790230 A	20-08-1997
			JP	10001454 A	06-01-1998
EP 0916643	Α	19-05-1999	BR	9804644 A	01-02-2000
			CN	1218029 A	02-06-1999
			JP	11236352 A	31-08-1999
EP 0713857	• А	29-05-1996	BR	9404740 A	31-12-1996
			CZ	9402895 A	14-08-1996
			US	5645696 A	08-07-1997
			DE	69416313 D	11-03-1999
			DE	69416313 T	14-10-1999
EP 0850954	Α	01-07-1998	AU	720858 B	15-06-2000
			AU	5763798 A	31-07-1998
			BG	103601 A	28-04-2000
			BR	9713637 A	11-04-2000
			WO	9829458 A	09-07-1998
			EP	0948546 A	13-10-1999

INTERNATIONALER RECHERCHENBERICHT

PCI

(Artikel 18 sowie Regeln 43 und 44 PCT)

Aktenzeichen des Anmelders oder Anwalts H 4024 PCT		er die Übermittlung des internationalen s (Formblatt PCT/ISA/220) sowie, soweit nender Punkt 5
Internationales Aktenzeichen	Internationales Anmeldedatum	(Frühestes) Prioritätsdatum (Tag/Monat/Jahr)
PCT/EP 00/07496	(Tag/Monat/Jahr) 03/08/2000	11/08/1999
Anmelder		
COGNIS DEUTSCHLAND GMBH et	al.	
Dieser internationale Recherchenbericht wur Artikel 18 übermittelt. Eine Kopie wird dem Ir	de von der Internationalen Recherchenbehörd nternationalen Büro übermittelt.	e erstellt und wird dem Anmelder gemäß
Dieser internationale Recherchenbericht um X Darüber hinaus liegt ihm je	faßt insgesamt _2Blätter. weils eine Kopie der in diesem Bericht genann	ten Unterlagen zum Stand der Technik bei.
Grundlage des Berichts	- · · · · · · · · · · · · · · · · · · ·	
 a. Hinsichtlich der Sprache ist die int durchgeführt worden, in der sie ein 	ernationale Recherche auf der Grundlage der i gereicht wurde, sofern unter diesem Punkt nic	nternationalen Anmeldung in der Sprache nts anderes angegeben ist.
Die internationale Recherc Anmeldung (Regel 23.1 b)	he ist auf der Grundlage einer bei der Behörde) durchgeführt worden.	eingereichten Übersetzung der internationalen
Recherche auf der Grundlage des	Sequenzprotokolls durchgeführt worden, das	ler Aminosäuresequenz ist die internationale
	eldung in Schriflicher Form enthalten ist.	aingaraight wardon ist
	ionalen Anmeldung in computerlesbarer Form	eingereicht worden ist.
1	ch in schriftlicher Form eingereicht worden ist. ch in computerlesbarer Form eingereicht word	an jet
Die Erklärung, daß das na	chträglich eingereichte schriftliche Sequenzpro i im Anmeldezeitpunkt hinausgeht, wurde vorg	tokoll nicht über den Offenbarungsgehalt der
I	•	dem schriftlichen Sequenzprotokoll entsprechen,
2. Bestimmte Ansprüche ha	aben sich als nicht recherchierbar erwiesen	(siehe Feld I).
3. Mangelnde Einheitlichke	it der Erfindung (siehe Feld II).	·
4. Hinsichtlich der Bezeichnung der Erfi	ndung	
wird der vom Anmelder eir	gereichte Wortlaut genehmigt.	
wurde der Wortlaut von de	r Behörde wie folgt festgesetzt:	
Hinsichtlich der Zusammenfassung		
	gereichte Wortlaut genehmigt.	
wurde der Wortlaut nach F	tegel 38.2b) in der in Feld III angegebenen Fat de innerhalb eines Monats nach dem Datum de Stellungnahme vorlegen.	sung von der Behörde festgesetzt. Der er Absendung dieses internationalen
6. Folgende Abbildung der Zeichnunger	ist mit der Zusammenfassung zu veröffentlich	en: Abb. Nr1
wie vom Anmelder vorges	chlagen	keine der Abb.
X weil der Anmelder selbst k	eine Abbildung vorgeschlagen hat.	
weil diese Abbildung die E	rfindung besser kennzeichnet.	

INTERNATIONALER RECHERCHENBERICHT

Internationales Aktenzeichen

/EP 00/07496

A. KLASSIFIZIERUNG DES ANMELDUNG ZEENSTANDES IPK 7 B01J19/18 B01J19/26 B01J14/00

C07C67/08

C07C69/54

Nach de	r Internationalen	Patentklassifikation (IPK) oder nach	der nationalen	Klassifikation ur	nd der IPK

B. RECHERCHIERTE GEBIETE

Recherchierter Mindestprüfstoff (Klassifikationssystem und Klassifikationssymbole)

IPK 7 B01J C07C

Recherchierte aber nicht zum Mindestprüfstoff gehörende Veröffentlichungen, soweit diese unter die recherchierten Gebiete fallen

Während der internationalen Recherche konsultierte elektronische Datenbank (Name der Datenbank und evtl. verwendete Suchbegriffe)

EPO-Internal, WPI Data, PAJ

C. ALS WE	SENTLICH ANGESEHENE UNTERLAGEN	
Kategorie°	Bezeichnung der Veröffentlichung, soweit erforderlich unter Angabe der in Betracht kommenden Teile	Betr. Anspruch Nr.
Х	US 5 883 288 A (DAMS ALBRECHT ET AL) 16. März 1999 (1999-03-16) Spalte 6, Zeile 40 -Spalte 11, Zeile 67; Abbildungen 1,2	1-5
X	EP 0 916 643 A (ROHM & HAAS) 19. Mai 1999 (1999-05-19) Seite 2, Spalte 57 -Seite 4, Spalte 55; Abbildung 1	1-5
X	EP 0 713 857 A (LUCKY LTD) 29. Mai 1996 (1996-05-29) das ganze Dokument	1-5
A	EP 0 850 954 A (CP TECH S R L) 1. Juli 1998 (1998-07-01) Abbildung 1	6-9

Weitere Veröffentlichungen sind der Fortsetzung von Feld C zu entnehmen	X Siehe Anhang Patentfamilie
 Besondere Kategorien von angegebenen Veröffentlichungen : A' Veröffentlichung, die den allgemeinen Stand der Technik definiert, aber nicht als besonders bedeutsam anzusehen ist E' ätteres Dokument, das jedoch erst am oder nach dem internationalen Anmeldedatum veröffentlicht worden ist L' Veröffentlichung, die geeignet ist, einen Prioritätsanspruch zweifelhaft erscheinen zu lassen, oder durch die das Veröffentlichungsdatum einer anderen im Recherchenbericht genannten Veröffentlichungsdatum einer anderen im Recherchenbericht genannten Veröffentlichungsdatum einer ausgeführt) O' Veröffentlichung, die sich auf eine mündliche Offenbarung, eine Benutzung, eine Ausstellung oder andere Maßnahmen bezieht Veröffentlichung, die vor dem internationalen Anmeldedatum, aber nach dem beanspruchten Prioritätsdatum veröffentlicht worden ist 	 *T* Spätere Veröffentlichung, die nach dem internationalen Anmeldedatum oder dem Prioritätsdatum veröffentlicht worden ist und mit der Anmeldung nicht kollidiert, sondern nur zum Verständnis des der Erfindung zugrundeliegenden Prinzips oder der ihr zugrundeliegenden Theorie angegeben ist *X* Veröffentlichung von besonderer Bedeutung; die beanspruchte Erfindung kann allein aufgrund dieser Veröffentlichung nicht als neu oder auf erfinderischer Täligkeit beruhend betrachtet werden *Y* Veröffentlichung von besonderer Bedeutung; die beanspruchte Erfindung kann nicht als auf erfinderischer Täligkeit beruhend betrachtet werden, wenn die Veröffentlichung mit einer oder mehreren anderen Veröffentlichungen dieser Kategorie in Verbindung gebracht wird und diese Verbindung für einen Fachmann naheliegend ist *&* Veröffentlichung, die Mitglied derselben Patentfamilie ist
Datum des Abschlusses der internationalen Recherche	Absendedatum des internationalen Recherchenberichts
6. Dezember 2000	13/12/2000
Name und Postanschrift der Internationalen Recherchenbehörde Europäisches Patentamt, P.B. 5818 Patentlaan 2 NL – 2280 HV Rijswijk	Bevollmächtigter Bediensteter
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Willsher, C

INTERNATIONAL SEARCH REPORT

29-05-1996

01-07-1998

International Application No Information on patent family members /EP 00/07496 Patent family Publication Patent document Publication cited in search report date member(s) date 07-08-1997 US 5883288 Α 16-03-1999 DE 19604267 A 07-08-1997 CA 2196917 A 12-11-1997 CN 1164528 A 9700336 A 15-04-1998 CZ 20-08-1997 ΕP 0790230 A 06-01-1998 JP 10001454 A 01-02-2000 19-05-1999 BR 9804644 A EP 0916643 02-06-1999 1218029 A CN 31-08-1999 JP 11236352 A

BR

CZ

US

DE

DE

ΑU

ΑU

BG

BR

WO

EP

9404740 A

9402895 A

5645696 A

69416313 D

69416313 T

720858 B

103601 A

9713637 A

9829458 A

0948546 A

5763798 A

31-12-1996

14-08-1996

08-07-1997

11-03-1999 14-10-1999

15-06-2000

31-07-1998

28-04-2000

11-04-2000

09-07-1998

13-10-1999

EP 0713857

EP 0850954

Α

VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM **GEBIET DES PATENTWESENS**

RECD 0 1 NOV 2001 INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT

(Artikel 36 und Regel 70 PCT)

Aktonzoic	hen d	es Anmelders oder Anwalts	·			<u>'</u>
		-Dr.SG/GM	WEITERES VOR	GEHEN	siehe Mittei vorläufigen	lung über die Übersendung des internationalen Prüfungsberichts (Formblatt PCT/IPEA/416)
Internation PCT/EP		Aktenzeichen 7496	Internationales Anmelo	dedatum(Tag/i	Monat/Jahr)	Prioritätsdatum (Tag/Monat/Tag) 11/08/1999
Internation B01J19/	nale Pa /18	atentklassifikation (IPK) oder i	nationale Klassifikation u	ind IPK		RECEIVED
						JAN 03 2003
Anmelder		UTSCHLAND GMBH et	al.			TECH CENTER 1600/2900
1. Diese Behö	er inte orde e	ernationale vorläufige Prüf erstellt und wird dem Anme	ungsbericht wurde vo elder gemäß Artikel 30	on der mit de 6 übermittelt.	r internatio	nalen vorläufigen Prüfung beauftragten
2. Diese	er BE	RICHT umfaßt insgesamt	5 Blätter einschließli	ch dieses De	eckblatts.	
ι	una/od	der ∠eichnungen, die geär	ndert wurden und die:	sem Bericht :	zuarunde li	ter mit Beschreibungen, Ansprüchen iegen, und/oder Blätter mit vor dieser
		igen umfassen insgesamt		gei 70.16 und	1 Abschnitt	607 der Verwaltungsrichtlinien zum PCT)
		3				
3. Diese	er Ber	icht enthält Angaben zu fo	lgenden Punkten			
		Grundlage des Berichts	igenden i dimaen.			
		Priorität				
111			utachtens über Noub	oit orfindori	oobo Tätial	keit und gewerbliche Anwendbarkeit
IV		Mangelnde Einheitlichke	it der Erfindung	ien, emiliden	scrie raugi	keit und gewerbliche Anwendbarkeit
V	☒		nach Artikel 35(2) hir	nsichtlich der Erklärunger	r Neuheit, o n zur Stützu	der erfinderischen Tätigkeit und der ung dieser Feststellung
VI		Bestimmte angeführte U	nterlagen	_		
VII		Bestimmte Mängel der in	ternationalen Anmelo	dung		
VIII		Bestimmte Bemerkunger	zur internationalen /	Anmeldung		
· .						
Datum der l	Einreic	thung des Antrags		Datum der F	ertigstellung	g dieses Berichts
22/02/200	01			30.10.2001		
Name und F Prüfung bea	auftrag	schrift der mit der internationa ten Behörde:	len vorläufigen	Bevollmächt	tigter Bedien	isteter o Justin SOES MICHIGAN
)	D-80	päisches Patentamt 298 München +49 89 2399 - 0 Tx: 523656 e	pmu d	Buesing,	G	The state of the s
		+49 89 2399 - 4465	•	Tel. Nr. +49	80 2300 836	Secretary State Company

INTERNATIONALER VORLÄUFIGER **PRÜFUNGSBERICHT**

Internationales Aktenzeichen PCT/EP00/07496

I. (Grun	dlage	des	Berichts	
------	------	-------	-----	-----------------	--

1.	Αι eii	Hinsichtlich der Bestandteile der internationalen Anmeldung (<i>Ersatzblätter, die dem Anmeldeamt auf eine</i> Aufforderung nach Artikel 14 hin vorgelegt wurden, gelten im Rahmen dieses Berichts als "ursprünglich eingereicht" und sind ihm nicht beigefügt, weil sie keine Änderungen enthalten (Regeln 70.16 und 70.17)): Beschreibung, Seiten:							
	1-7	7	ursprüngliche Fassung						
	Pa	ntentansprüche, Nr.:							
	1-9	9	ursprüngliche Fassung						
	Ze	ichnungen, Blätter:							
	1/1	l ı	ursprüngliche Fassung						
2.	Hinsichtlich der Sprache : Alle vorstehend genannten Bestandteile standen der Behörde in der Sprache, in der die internationale Anmeldung eingereicht worden ist, zur Verfügung oder wurden in dieser eingereicht, sofern unter diesem Punkt nichts anderes angegeben ist.								
	Die ein	e Bestandteile stande gereicht; dabei hande	n der Behörde in der Sprache: zur Verfügung bzw. wurden in dieser Sprache elt es sich um						
		die Sprache der Üb Regel 23.1(b)).	ersetzung, die für die Zwecke der internationalen Recherche eingereicht worden ist (nac						
		die Veröffentlichung	ssprache der internationalen Anmeldung (nach Regel 48.3(b)).						
		die Sprache der Üb ist (nach Regel 55.2	ersetzung, die für die Zwecke der internationalen vorläufigen Prüfung eingereicht worden 2 und/oder 55.3).						
3.	Hin inte	sichtlich der in der internationale vorläufige	ternationalen Anmeldung offenbarten Nucleotid- und/oder Aminosäuresequenz ist die Prüfung auf der Grundlage des Sequenzprotokolls durchgeführt worden, das:						
		in der internationale	n Anmeldung in schriftlicher Form enthalten ist.						
			nternationalen Anmeldung in computerlesbarer Form eingereicht worden ist.						
			chträglich in schriftlicher Form eingereicht worden ist.						
			chträglich in computerlesbarer Form eingereicht worden ist.						
		Die Erklärung, daß	das nachträglich eingereichte schriftliche Sequenzprotokoll nicht über den der internationalen Anmeldung im Anmeldezeitpunkt hinausgeht, wurde vorgelegt.						
		Die Erklärung, daß d	die in computerlesbarer Form erfassten Informationen dem schriftlichen ntsprechen, wurde vorgelegt.						
4.	Auf		n sind folgende Unterlagen fortgefallen:						

INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT

Internationales Aktenzeichen PCT/EP00/07496

		Beschreibung,	Seiten:				
		Ansprüche,	Nr.:				
		Zeichnungen,	Blatt:				
5.		Dieser Bericht ist oh angegebenen Gründ eingereichten Fassu	ien nach Auffass	ung der Behö	rde über den Offenb	n erstellt worden, d earungsgehalt in de	a diese aus den er ursprünglich
		(Auf Ersatzblätter, di beizufügen).	e solche Änderu	ngen enthalte	n, ist unter Punkt 1 f	ninzuweisen;sie sin	d diesem Bericht
6.	Etw	aige zusätzliche Bem	erkungen:				
V.	Beg gew	ıründete Feststellung verblichen Anwendb	g nach Artikel 3 arkeit; Unterlage	5(2) hinsichtl en und Erklä	ich der Neuheit, de ungen zur Stützun	r erfinderischen 1 g dieser Feststell	Γätigkeit und de ung
1.	Fest	tstellung					
	Neu	heit (N)	Ja: Nein:	Ansprüche Ansprüche	1-9		
	Erfin	nderische Tätigkeit (E	•	Ansprüche Ansprüche	1-9		
	Gew	verbliche Anwendbark	• •	Ansprüche Ansprüche	1-9		
2.	Unte	erlagen und Erklärung	en				

siehe Beiblatt

Abschnitt V:

- Es wird auf das folgende Dokument verwiesen, das den nächstliegenden Stand 1. der Technik repräsentiert:
 - D1 EP-A-0 916 643
- D1 zeigt ein Verfahren zur Herstellung von Estern aus ungesättigten 2. Carbonsäuren mit einem höheren Siedepunkt als Wasser und Alkoholen, bei dem ein Teil der Gas/Dampfphase aus dem Reaktor (1) entfernt und in einer aufgesetzten Destillationskolonne (2) zerlegt wird, wobei das aufsteigende Gas/Dampfgemisch mit ablaufendem rückgeführtem Kondensat kontaktiert wird und vom Kopf der Kolonne eine den Polymerisationsinhibitor enthaltende Flüssigkeit zugeführt wird; siehe Figur und die dazugehörige Beschreibung, insbesondere Seite 3, Zeile 9; Absätze [0020] bis [0024].
- 3. Das beanspruchte Verfahren unterscheidet sich davon dadurch, dass statt einwertiger Alkohole mehrwertige Alkohole und statt einer Destillationskolonne ein Dephlegmator eingesetzt wird, also nur eine partielle Kondensation anstelle einer Destillation stattfindet.
- Die erfindungsgemäß hergestellten Ester mehrwertiger Alkohole weisen erheblich 4. höhere Siedetemperaturen auf als die gemäß D1 bekannten Ester und sind auch erheblich viskoser. Aufgrund des hohen Carbonsäuregehalts im Reaktionsgemisch, der bei der Verwendung mehrwertiger Alkohole nötig ist, ist auch die Gefahr der Polymerisation der ungesättigten Carbonsäuren in der Gas-/Dampfphase deutlich höher als bei dem aus D1 bekannten Verfahren. Eine destillative Reinigung, wie in D1 vorgeschlagen, scheidet bei diesen Estern wegen des hohen Molekulargewichts und der hohen Reaktivität aus. Die Übertragung des aus D1 bekannten Verfahrens auf die Verarbeitung mehrwertiger Alkohole würde daher vom einschlägigen Fachmann nicht in Betracht gezogen. Damit hätte er auch keine Veranlassung, das bekannte Verfahren zusätzlich noch zu modifizieren durch den Ersatz der Destillationskolonne durch einen Dephlegmator.

Das beanspruchte Verfahren ergibt sich somit nicht in naheliegender Weise aus dem Stand der Technik. Daher wird eine erfinderische Tätigkeit für den Anspruch 1 anerkannt.

Das gleiche trifft auf den unabhängigen Anspruch 6 zu, der auf eine auf die 5. Durchführung des Verfahrens angepaßte Anlage gerichtet ist.

Translation

PATENT COOPERATION TREATY PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION	FOR FURTHER ACTION SeeNotificationofTransmittalofInternational Preliminary Examination Report (Form PCT/IPEA/416)						
H 4024 PCT								
International application No. PCT/EP00/07496	International filing date (day/n		Priority date (day/month/year)					
	03 August 2000 (03.	U8.UU)	11 August 1999 (11.08.99)					
International Patent Classification (IPC) or national classification and IPC B01J 19/18, 19/26, 14/00, C07C 67/08, 69/54								
Applicant COGNIS DEUTSCHLAND GMBH								
 This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36. 								
2. This REPORT consists of a total of	5 sheets, including	ng this cover s	heet.					
This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).								
These annexes consist of a to	tal of sheets.							
3. This report contains indications relat	ting to the following items:							
I Basis of the report								
II Priority								
III Non-establishment o	of opinion with regard to novelty	, inventive ste	ep and industrial applicability					
	ention							
V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement								
VI Certain documents cited								
VII Certain defects in the	e international application							
VIII Certain observations on the international application								
-								
Date of submission of the demand		Date of completion of this report						
22 February 2001 (22.0	2.01)	30 O	ctober 2001 (30.10.2001)					
Name and mailing address of the IPEA/EP	Authori	Authorized officer						
Facsimile No.	Telepho	Telephone No.						

PCT/EP00/07496

I. Basis of the report									
1. With regard to the elements of the international application:*									
		the international application as originally filed							
	\boxtimes	the desc	scription:						
		pages	1-7	, as originally filed					
		pages		filed with the demand					
		pages	, filed with the letter of						
	\boxtimes	the clair	ims:						
	سا	pages	1-9	, as originally filed					
		pages	, as amended (together with any state						
		pages		filed with the demand					
		pages	, filed with the letter of	- 100-7-10					
	\boxtimes	the drav	wings:						
	ك		·	, as originally filed					
		pages	,	filed with the demand					
		pages	, filed with the letter of						
		the seque	ence listing part of the description:						
	ш.	pages		as originally filed					
		pages	,						
		pages	, filed with the letter of						
2.	With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language which is: the language of a translation furnished for the purposes of international search (under Rule 23.1(b)). the language of publication of the international application (under Rule 48.3(b)). the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).								
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the interpreliminary examination was carried out on the basis of the sequence listing:									
	Ц	contain	ned in the international application in written form.						
	Щ	filed to	ogether with the international application in computer readable form.						
	Щ	furnish	ned subsequently to this Authority in written form.						
	furnished subsequently to this Authority in computer readable form.								
			tatement that the subsequently furnished written sequence listing does not go beyond ational application as filed has been furnished.	the disclosure in the					
			tatement that the information recorded in computer readable form is identical to the writter turnished.	sequence listing has					
4.		The am	nendments have resulted in the cancellation of:						
			the description, pages	•					
			the claims, Nos.						
			the drawings, sheets/fig						
5.			port has been established as if (some of) the amendments had not been made, since they have the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**	been considered to go					
*	in th		sheets which have been furnished to the receiving Office in response to an invitation under Art t as "originally filed" and are not annexed to this report since they do not contain am						
**		,	ent sheet containing such amendments must be referred to under item 1 and annexed to this rep	ort.					

INTERNATIONAL PREMINARY EXAMINATION REPORT

International application No.
T/EP 00/07496

v.	Reasoned statement under Article 3 citations and explanations supporting		ty, inventive step or industrial appl	icability;
1.	Statement			
	Novelty (N)	Claims	1-9	YES
		Claims		NO
	Inventive step (IS)	Claims	1-9	YES
		Claims	···	NO NO
	Industrial applicability (IA)	Claims	1-9	YES
		Claims		NO NO

- 2. Citations and explanations
 - This report makes reference to the following document, which represents the closest prior art:

D1: EP-A-0 916 643.

- 2. D1 discloses a method for producing esters from unsaturated carboxylic acid with a higher boiling point than water and alcohols, in which a portion of the gas/steam phase is removed from the reactor (1) and separated in a distillation column (2) placed thereon, the rising gas/steam mixture thereby coming into contact with the condensation product that is running off and is being pumped back to the reactor and a liquid that contains the polymerization inhibitor being added from the head of the column (see figure and corresponding description, in particular page 3, line 9; paragraphs [0020] to [0024]).
- 3. The claimed method differs therefrom in that polyhydric alcohols are used instead of monohydric alcohols and a dephlegmator is used instead of a distillation column, i.e. only partial condensation instead of distillation takes place.

4. The esters of polyhydric alcohols produced according to the invention have significantly higher boiling temperatures than the esters known from D1 and are also significantly more viscous. Owing to the high carboxylic acid content in the reaction mixture which is necessary when polyhydric alcohols are used, the risk of polymerization of the unsaturated carboxylic acids in the gas/steam phase is clearly higher than in the method known from D1. A distillative purification, as suggested in D1, is ruled out for these esters owing to the high molecular weight and high reactivity. Thus a person skilled in the art would not consider using the method known from D1 for processing polyhydric alcohols. A person skilled in the art would therefore also not be prompted to modify the known method by replacing the distillation column with a dephlegmator.

Thus the claimed method was not derived in an obvious way from the prior art. Claim 1 therefore involves an inventive step.

5. The same applies to independent Claim 6, which is directed to a facility suitable for carrying out the method.